

Remarks

Claims 34-45 were pending.

Claims 34-45 are cancelled.

Claims 46-53 are new.

The application now contains claims 46-53.

New claims 46 and 49 are supported by original claims 1 and 5. Additional support for claims 47 and 48 is in the specification as filed on page 14, lines 15-18. Additional support for claims 50-53 is found in original claims 3, 4, 9 and 10.

No new matter is added.

Rejections

Previously pending claim 45 had been rejected under 35 USC 102(a) over Rosenberg, US 5,703,193 in view of Rizk, '996 or Lander, '473. There is no claim corresponding to now cancelled claim 45 in the instantly pending claims.

Claims 34-44 had been rejected under 35 USC 102(b) as anticipated by Rosenberg, US 5,703,193. In reviewing the prosecution history, Applicants have arrived at the conclusion that the 102 rejections were due in large part to possible poor claim language in the previous iterations of the claims. In particular, Applicants asserted that the claim language of claims 34-44 closed the claim to the distillation of a mixture that had only the compounds resulting from the reaction of a stoichiometric excess of diphenylmethane diisocyanate monomers with a polyol and at least one inert solvent having a boiling point about 1°C to about 100°C below the boiling point of the diisocyanate monomer, whereas the Examiner asserted that the claim language was open and allowed for the addition of additional components and steps.

Applicants have rewritten the claims so that the process consists of distilling diphenylmethane diisocyanate monomer from a combination consisting essentially of the polyurethane prepolymer product mixture and at least one inert solvent having a boiling point about 1°C to about 100°C below the boiling point of the diisocyanate monomer. That is the invention as claimed is only to the distillation of a mixture which consists only of the identified inert solvent, the products and by products formed when diphenylmethane

diisocyanate is reacted with a diol, any left over starting materials of that reaction, and small quantities of materials that do not effect the basic and novel characteristics of the invention. Thus, there are no additional higher boiling solvents in the combination that is subject to distillation, however there may be present, for example, small amounts of inert materials which may have been present in the source of the diphenylmethane diisocyanate or diol starting materials.

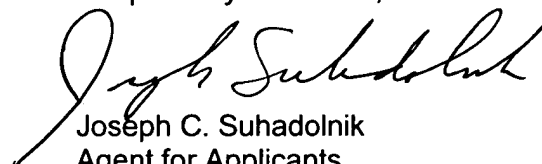
Applicants believe that this is the correct reading of claim 46 and that this reading is fully supported by the application as filed.

Applicants respectfully point to the discussion on page 2 of the application as filed and note that the instant invention is directed at removing MDI from a prepolymer mixture. MDI has a higher boiling point than e.g., TDI, which has made preparation of prepolymer mixtures with low MDI levels difficult to attain. Previous methods using the expediency of the presence of a higher boiling solvent as a "chaser" in distillations to drive out unreacted isocyanates such as TDI are not nearly as effective with MDI given the very high boiling point of MDI. Applicants have surprisingly discovered that using solvents with a boiling point 1-100° C lower than the boiling point of MDI are more effective as distillation aids than solvents with higher boiling points. Applicants reiterate that the process distills the MDI from a mixture that consists only the reaction mixture from the reaction of excess MDI and a polyol, unreacted starting materials and side product thereof, and a solvent a boiling point 1-100° C lower than the boiling point of MDI.

Applicants respectfully submit that the present rejections under 35 USC 102(b) are addressed and are overcome and kindly ask that the rejections be withdrawn and that claims 46-53 be found allowable. In the event that minor amendments will further prosecution, Applicants request that the Examiner contact the undersigned representative.

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Respectfully submitted,


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